



Rick Lazio  
Executive Vice President

July 25, 2007

The Honorable John Conyers, Jr.  
Chairman  
House Committee on the Judiciary  
2138 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Conyers:

Thank you for your leadership in reporting the Patent Reform Act (H.R. 1908) out of the Judiciary Committee. We believe that the bill will do much to restore balance to our patent system and support moving the process forward.

In particular, we are pleased that the interlocutory appeal for claim construction rulings (section 10(b)) was retained in the manager's amendment as reported by the Committee. The interlocutory appeal is a priority for JPMorgan Chase. The manager's amendment contains a compromise, which we supported, that will grant the district court judge discretion over whether to approve an application for interlocutory appeal and whether to stay proceedings while the appeal is pending. The language preserves the benefits of de novo review, spares litigants the cost of trial to obtain an appeal, and saves judicial resources at both the district court and Federal Circuit level. We believe it is the best remedy for resolving claim constructions issues with certainty and on the merits.

We are also pleased that the essential features of post grant review and damages reform were preserved in the manager's amendment as reported by Committee.

We look forward to working with you as the bill moves to the floor.

Sincerely,

  
Rick Lazio